IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Crl.Rev.Pet.No. 593 of 2007()

CRA.83/2000 of ADDL. SESSIONS COURT (ADHOC I), THALASSERY
CC.383/1993 of JUDL.MAGISTRATE OF FIRST CLASS COURT, TALIPARAMBA

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REVN. PETITIONER: APPELLANT/ACCUSED

EETTISSERI KUTTIATU VEETIL PUSHPAJAN,
AGED 46 YEARS, S/O.KRISHNAN NAMBIAR,
EETTISSERY KUTTIATOOR VEEDU, PAYYAVOOR,
KANNUR DISTRICT.

BY ADV. SRI.A.T.ANILKUMAR
SRI.P.DALBI EMMANUEL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI. ANIL KUMAR A.T.
SRI. AMJAD ALI, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 593 OF 2007

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Dated this the 14th day of February 2007

O R D E R

The revision petitioner/accused stands convicted for the offence under sections 279, 337 and 338 of IPC and sentenced to undergo imprisonment till the rising of court and to pay a fine of Rs.1000/- in default to undergo simple imprisonment for 15 days for the offence punishable under section 279 IPC., to pay a fine of Rs. 500/- in default to undergo simple imprisonment for 15 days for the for the offence punishable under section 337 IPC. and to pay a fine of Rs. 1000/- in default to undergo simple imprisonment for 15 days for the offence punishable under section 338 IPC. and also to suspend the driving licence for a period of six months from the date of surrender vide section 22 (1) of the Motor Vehicles Act.

Both the courts have concurrently found that the accused are guilty of offences. The bus hit on a tree on the side and overturned. PWs 1 to 25 were examined and Exts. P1 to P3 were

marked. Both the courts have found that the evidence of witnesses adduced PWs 2,3,5 and 10 established the prosecution allegation that the accused drove the vehicle in a negligent manner. About 18 passengers sustained injuries and the injuries of some of the passengers were grievous in nature. I find no reason for interference in the findings of the courts below. The sentence imposed is just flea bite in nature. The revision petition is dismissed in limine.

K.R. UDAYABHANU, JUDGE.

RV